

EXHIBIT G

Transcript of Howard Myatt
Conducted on March 28, 2018

1 (1 to 4)

| | |
|---|--|
| <p>1</p> <p>IN THE UNITED STATES DISTRICT COURT OR THE EASTERN DISTRICT O VIRGINIA ALEXANDRIA DIVISION</p> <p>2</p> <p>3</p> <p>4 x</p> <p>5 UNITED STATES EQUAL : 6 EMPLOYMENT OPPORTUNITY : 7 COMMISSION, : Civil Action No. 8 Plaintiff, : : 7 cv 084 9 v. : (AJT/J A)</p> <p>0 Camber Corporation, 1 Defendant.</p> <p>2 x</p> <p>3</p> <p>4 Deposition of HOWARD MYATT</p> <p>5 McLean, Virginia</p> <p>6 Wednesday, March 28, 20 8</p> <p>7 9:25 a.m.</p> <p>8</p> <p>9</p> <p>20 Job No.: 79323</p> <p>21 Pages: 7</p> <p>22 Reported By: Janice Jones, RPR, CLR</p> | <p>3</p> <p>A P P E A R A N C E S</p> <p>2 ON BEHAL O PLAINTI : 3 ROBERT STERN, ESQUIRE 4 EQUAL EMPLOYMENT OPPORTUNITY 5 COMMISSION PHILADELPHIA 6 80 Market Street Suite 300 7 Philadelphia, Pennsylvania 9 07 8 2 5.440.2868 9</p> <p>0 ON BEHAL O DEFENDANT: 1 ROBERT ORTBALS, JR., ESQUIRE 2 CONSTANGY BROOKS, SMITH & PROPHETE, LLP 3 7733 orsyth Boulevard Suite 325 4 St. Louis, Missouri 63 05 5 3 4.925.7270 6 7 8 9</p> <p>20</p> <p>21</p> <p>22</p> <p>2</p> <p>A P P E A R A N C E S C O N T I N U E D</p> <p>2 ON BEHAL O EXECUTIVE O ICE OR IMMIGRATION REVIEW: 3 MARIA N. COLEMAN, ESQUIRE 4 O ICE O THE GENERAL COUNSEL 5 EXECUTIVE O ICE OR IMMIGRATION REVIEW 6 ASSOCIATE GENERAL COUNSEL 7 EMPLOYEE AND LABOR RELATIONS UNIT 8 5 07 Leesburg Pike 9 alls Church, Virginia 2204 0 703.756.8426</p> <p>2</p> <p>3 Pursuant to notice, before Janice Jones, RPR, CLR, 4 Notary Public in and for the Commonwealth of Virginia.</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>20</p> <p>21</p> <p>22</p> |
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2 (5 to 8)

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| 7 | EXHIBITS | | | |
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| 0 | Exhibit | Subpoena to Produce Documents Information, or Objects or to Permit Inspection of Premises in A Civil Action | 6 | |
| 1 | Exhibit 2 | Letter March 23, 20 8 U.S. Department of Justice | 6 | |
| 2 | Exhibit 3 | Schedule B | 6 | |
| 3 | Exhibit 4 | E mail Chain September 9, 20 4 | 6 | |
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| 1 | P R O C E E D I N G S | 6 | | 8 |
| 2 | THEREUPON, | | | |
| 3 | HOWARD MYATT, | | | |
| 4 | called as a witness on behalf of the Plaintiff and, | | | |
| 5 | after first having been duly sworn or affirmed, was | | | |
| 6 | examined and testified as follows: | | | |
| 7 | (Thereupon, Deposition Myatt Exhibit | | | |
| 8 | Numbers 1 through 7 were marked for identification.) | | | |
| 9 | DIRECT EXAMINATION | | | |
| 10 | BY MR. STERN: | | | |
| 11 | Q Good morning. Could you please state your | | | |
| 12 | name and business address for the record? | | | |
| 13 | A Howard Myatt, and business address would be | | | |
| 14 | 5170 (sic), Leesburg Pike, Falls Church, Virginia. | | | |
| 15 | Q I'm Jeffrey Stern. I'm the attorney for | | | |
| 16 | plaintiff, EEOC, in this case. | | | |
| 17 | You are working for what employer? Who is | | | |
| 18 | your employer? | | | |
| 19 | A I work for the Office of Information | | | |
| 20 | Technology for the Executive Office of Immigration | | | |
| 21 | Review -- for Immigration Review, sorry. | | | |
| 22 | Q And your workstation was the business | | | |

| | | | | |
|----|---|--|--|--|
| 1 | Avaya contract? | | | |
| 2 | A The middle of 2011. | | | |
| 3 | Q You remained the COTR -- what is that | | | |
| 4 | acronym? | | | |
| 5 | A COR. | | | |
| 6 | Q COR, until when? | | | |
| 7 | A Until the contract concluded, which would | | | |
| 8 | have been July 30, 2016. | | | |
| 9 | Q What was the gist of the contract service | | | |
| 10 | that had been provided by Camber? | | | |
| 11 | A Camber was providing IT services on site | | | |
| 12 | for the purposes of maintaining, modifying and building | | | |
| 13 | new applications for the Executive Office for | | | |
| 14 | Immigration Review. | | | |
| 15 | Q Was that the same and also true with | | | |
| 16 | respect to Avaya? | | | |
| 17 | A Yes, it was. Same -- same statement of | | | |
| 18 | work. | | | |
| 19 | Q You indicated the contract with Camber | | | |
| 20 | expired in January 2017? | | | |
| 21 | A 2016, sir. | | | |
| 22 | Q 2016. Was there a successor contract for | | | |

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5 (17 to 20)

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| | 7 | | 9 |
| 1 A | Typically, we held them about 3:00 p.m. | 1 Q | Same thing for the next item that is "Org |
| 2 Q | There are three attachments listed on | 2 | Chart Version 18"? |
| 3 the -- | | 3 A | Yes. |
| 4 A | Yes, sir. | 4 Q | That is referencing those attachments? |
| 5 Q | -- e-mail on Page 1 to Exhibit 4. One is | 5 A | That referencing the two other attachments, |
| 6 an IT budget. It says, "FY," fiscal year 2014? | | 6 yes, sir. | |
| 7 A | Correct. | 7 Q | Then the "Staffing" topic is populated by a |
| 8 Q | Then the next one says, "v20." | 8 | number of filled-in bullet points. Yes? |
| 9 | What is the "v"? | 9 A | Yes, sir. |
| 10 A | That was, I believe, the organization chart | 10 Q | This is the first instance of a DCIO that |
| 11 for the contractor. | | 11 | you found that mentioned Ashok Pai? |
| 12 Q | Directing your attention to the three | 12 A | Yes, it is. |
| 13 attachments listed on that page, the one I am | | 13 Q | Who was Ashok Pai? |
| 14 discussing, it says, "xls." | | 14 A | He was a DotNetSharePoint developer |
| 15 | That is the spreadsheet? | 15 employed by Camber on this contract. | |
| 16 A | Yes, that would be the budget spreadsheet. | 16 Q | What does that mean? |
| 17 Q | The bottom item says, "DOJ EOIR org." | 17 | What is the DotNetSharePoint? What are |
| 18 | Do you understand when I say, EOIR org," I | 18 | those things? |
| 19 mean E-O-I-R? | | 19 A | SharePoint is a document management and |
| 20 A | EOIR, just like the character. | 20 content management platform that is marketed by | |
| 21 Q | From the book? | 21 Microsoft. EOIR uses this as one of its application | |
| 22 A | Yes. | 22 platforms. | |
| | 8 | | 20 |
| 1 Q | Understand. "EOIR ORG STRUCTURE, FY 18." | 1 A | DotNet is a software development framework |
| 2 A | That would be the org chart. That would be | 2 | also marketed by Microsoft. We use that for building |
| 3 a Vizio diagram. | | 3 | custom applications. |
| 4 Q | A graphic? | 4 Q | Was the description you just gave regarding |
| 5 A | Yes. | 5 | Ashok Pai's position, was that true during your entire |
| 6 Q | And the middle one, what is that? | 6 | tenure as a PM until he separated? |
| 7 A | The one that begins with "DCIO-PM" would be | 7 A | Yes, sir. That was the development team he |
| 8 the agenda for the meeting. That would be the items | | 8 was on. | |
| 9 that Atif planned to make us aware of. | | 9 Q | Returning to the "Staffing," first bullet |
| 10 Q | Then the second page of this exhibit -- | 10 point Exhibit -- | |
| 11 A | (Indicating.) | 11 A | (Indicating.) |
| 12 Q | -- that was the PM for 09/09/14 DCIO that | 12 Q | -- 4, Page 2 of your deposition, the topic |
| 13 you have just referenced? | | 13 there says, "Resignations - Ashok Pai," and there is a | |
| 14 A | Yes, sir. | 14 parenthetical, "(10/31/14)." | |
| 15 Q | There were a variety of topics that were | 15 | That was a topic that was brought to your |
| 16 listed with little circles, and then bullet points | | 16 attention in the DCIO PM weekly? | |
| 17 underneath various ones. | | 17 A | Yes, sir. |
| 18 A | Yes. | 18 Q | Was the resignation of Ashok Pai that is |
| 19 Q | The first one says, "FY Budget ver 20." | 19 bullet-pointed, was this brought to your attention | |
| 20 | Is that version 20, the first bullet item | 20 before then? | |
| 21 under administration? | | 21 A | No, this was the first notice we had that |
| 22 A | Yes. | 22 he had resigned. | |

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8 (29 to 32)

| | | | |
|----|--|----|--|
| | 29 | | 3 |
| 1 | backfill. Interviewing candidates." | 1 | populated, "Opening req." |
| 2 | What is "DotNet DEV"? What does that mean? | 2 | What is that about? |
| 3 | A That would be somebody who is developing | 3 | A That would indicate that Camber was opening |
| 4 | applications using Microsoft's DotNet framework and the | 4 | a recruitment to go look for a new candidate. |
| 5 | language of choice we use is called C#. | 5 | Q No discussion remarks under the "EOIR |
| 6 | Q Srin, like Hang, is someone who had | 6 | Security"bullet point on this agenda item? |
| 7 | previously done that work and had left? | 7 | A No, sir. |
| 8 | A Correct. | 8 | Q Nor on "Programming"? |
| 9 | Q Status report underneath that is what? | 9 | A None. |
| 10 | A Are you referring to the "interviewing | 10 | Q Any discussion at the September 9th PM |
| 11 | candidates," sir? | 11 | weekly meeting about the opening req or Ashok's |
| 12 | Q Yes. That immediately follows -- | 12 | backfill DotNet/SP DEV that we have been talking about? |
| 13 | A Yes. | 13 | A Probably. I don't remember the discussion, |
| 14 | Q -- the DotNet DEV, Srin's backfill bullet | 14 | but it would have been talked about because it's on the |
| 15 | point? | 15 | 15 agenda. |
| 16 | A Yes. | 16 | Q Turning to the third page of this exhibit, |
| 17 | Q What is that topic about? | 17 | it's another e-mail from Atif to you and others. This |
| 18 | A That would indicate that Camber would | 18 | time it is about agenda for the weekly program review |
| 19 | currently be out interviewing and looking for a | 19 | for the following week, September 16, 2014? |
| 20 | replacement. | 20 | A Yes, sir. |
| 21 | Q What is the third bullet point in the DCIO | 21 | Q The page following is, in fact, the DCIO PM |
| 22 | for the September 9th weekly meeting, Page 2 of this | 22 | weekly agenda items for that meeting? |
| | 30 | | 32 |
| 1 | exhibit? | 1 | A Yes, sir. |
| 2 | A You would be referring to the | 2 | Q That you received from Khalil? |
| 3 | "DotNet/SharePoint DEV Ashok's backfill"? | 3 | A Yes, sir. |
| 4 | Q Correct. | 4 | Q There is only one reference to Ashok on |
| 5 | A Yes. | 5 | this DCIO PM weekly, Page 3? |
| 6 | Q Compare and contrast the position | 6 | A That is correct. |
| 7 | "DotNet/SP DEV" to the DotNet DEV position for Srin's | 7 | Q Again, that is under the same |
| 8 | backfill. | 8 | "Recruiting/Hiring/On-boarding Activities"? |
| 9 | A DotNet/SharePoint would have the same skill | 9 | A Yes, sir. |
| 10 | sets as a DotNet developer with the addition of | 10 | Q The status remains "interviewing |
| 11 | knowledge of the SharePoint platform. | 11 | 11 candidates"? |
| 12 | Q The DotNet/SP DEV, that was to backfill | 12 | A Yes, sir. |
| 13 | Ashok is that the way you pronounce it? | 13 | Q Do you recall any discussion of that at the |
| 14 | A I think it was Ashok or Ashok. I can't | 14 | 14 weekly meeting -- |
| 15 | remember 100 percent. | 15 | A Beyond the -- no. No. I do not. |
| 16 | Q It's Mr. Pai? | 16 | Q There is no reference -- in either of the |
| 17 | A Mr. Pai. | 17 | 17 Ashok backfill bullet points that we have discussed so |
| 18 | Q That was to backfill Mr. Pai? | 18 | 18 far, there is no reference to the labor category or |
| 19 | A Correct. | 19 | 19 dollar rate for the Ashok backfill? |
| 20 | Q Whom you understood had resigned? | 20 | A No, sir. |
| 21 | A Yes, sir. | 21 | Q The September 16, 2014 DCIO that we are |
| 22 | Q And the bullet point underneath that is | 22 | 22 talking about right now, what is the bullet point |

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9 (33 to 36)

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| | 33 | | 35 |
| 1 | status underneath the "Ashok's backfill" topic? | 1 | who handled administrative tasks for Atif. |
| 2 | A "Interviewing candidates." | 2 | Q Do you recall if she handed out the hard |
| 3 | Q Do you recall any discussion about that? | 3 | copies? |
| 4 | A No, sir. | 4 | A I'm pretty certain she is probably the one |
| 5 | Q The page following is Atif's cover e-mail | 5 | that made the hard copies. |
| 6 | to you and others at EOIR regarding the September 23rd | 6 | Q But she was not attending these meetings? |
| 7 | weekly meeting. Yeah? | 7 | A No, sir. |
| 8 | A Yes, sir. | 8 | Q Returning to the September 23rd DCIO agenda |
| 9 | Q The page following that is Atif's DCIO PM | 9 | item -- |
| 10 | weekly that he circulated -- | 10 | A Which one are we looking at again, sir? |
| 11 | A Yes, sir. | 11 | Q It is the DCIO attached to Atif's e-mail to |
| 12 | Q -- to you and others before that meeting? | 12 | you regarding the Tuesday, September 23rd -- |
| 13 | A (Indicating.) | 13 | A All right. I'm on the right one. |
| 14 | Q Yes? | 14 | Q It should be the sixth page of this -- |
| 15 | A Yes, sir. | 15 | A Got it. |
| 16 | Q Do you recall you were provided as a | 16 | Q -- stapled collection. |
| 17 | general matter with hard copies of the agenda items by | 17 | Under "Resignations," there are none noted? |
| 18 | someone before these meetings? | 18 | A Correct. |
| 19 | A Yeah, they do hand out a hard copy of the | 19 | Q And departures and on-boarding, none noted? |
| 20 | agenda at the meeting. I do not retain those because I | 20 | A Correct. |
| 21 | had the e-mails. | 21 | Q Some upcoming absences, key personnel? |
| 22 | Q When you would attend these meetings where | 22 | A Yes. |
| | 34 | | 36 |
| 1 | they handed out the agenda items but you already had | 1 | Q Training. Do you recall what TOGAF |
| 2 | the e-mails, did you, like, bring your laptop with you | 2 | architecture, what that is referring to, what that is |
| 3 | or have it in the room, or were you working off pieces | 3 | about? |
| 4 | of paper? | 4 | A I really can't remember. It was a training |
| 5 | A Once I had a tablet, I would work off the | 5 | class they wanted to send Joe Barbarella to. |
| 6 | tablet, but at the time these meetings were occurring, | 6 | Q Is this the same Joe Barbarella listed in |
| 7 | it would have been just looking at the piece of paper. | 7 | the first bullet point for an upcoming absence of -- |
| 8 | Q These meetings occurring, is that reference | 8 | A Correct. |
| 9 | just to the three that we have discussed or rather all | 9 | Q -- several days on the calendar dates |
| 10 | of the ones that you found responsive to the subpoena | 10 | issued there? |
| 11 | that are -- | 11 | A Yes, sir. |
| 12 | A All of them. | 12 | Q What, again, was his role on the project at |
| 13 | Q All of the ones in this Exhibit 4 to your | 13 | that time, meaning in 2014? |
| 14 | deposition? | 14 | A He was employed by Avaya/Camber as the |
| 15 | A Yes, sir. | 15 | software architect. |
| 16 | Q Now, the cc recipient on the cover e-mails | 16 | Q Risks and issues, that is not populated. |
| 17 | is listed as Debra Curtis -- | 17 | It says, "None"? |
| 18 | A Yes. | 18 | A Yes, sir. |
| 19 | Q -- EOIR CTR. | 19 | Q Recruitment, hiring and on-board |
| 20 | Who was Debra Curtis, and by that I mean, | 20 | activities, there is one and only one reference on that |
| 21 | what was her role? | 21 | page, and that is Ashok's backfill, one and one. |
| 22 | A Debra Curtis was an Avaya/Camber employee | 22 | That is the only reference to Ashok on the |

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16 (61 to 64)

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| | 6 |
| 1 let me know when you are ready to discuss those 2 "Contract or other provisions." | 63 |
| 3 A Okay. I am ready to answer your question, 4 sir. | 3 |
| 5 Q Is Exhibit 7 to your deposition the 6 collection of contract or other provisions described in 7 Point Number four at the bottom of Page 2 of the 8 attorney's cover letter? | 4 |
| 9 A Yes. That is the Statement of Work for 10 this contract. | 5 |
| 11 Q Item Number 4 in the letter, which is the 12 same as an item in the attachment to the subpoena, 13 mentions Statement of Work regarding place of 14 performance, exceptions or changes thereto. | 6 |
| 15 What provision or pages, if any, in this 16 collection -- | 7 |
| 17 A Hang on a second. I believe that would be 18 Section 5.2 which outlines the place of performance. 19 It's on Page 67 of the Statement of Work. | 8 |
| 20 Q The place of performance provision in 21 substance says that the principal places of performance 22 is EOIR located at and then the Falls Church address? | 9 |
| 1 A Correct. That would be EOIR headquarters. | 10 |
| 2 Q Or the contractor's facility located at 3 TBD, to be determined? | 11 |
| 4 A Correct. | 12 |
| 5 Q Then 5.2.1 lists EOIR's current immigration 6 courts? | 13 |
| 7 A Yes, sir. | 14 |
| 8 Q It looks like there is, what, 59 of those? | 15 |
| 9 A At that time, yes. | 16 |
| 10 Q It would vary from time to time? | 17 |
| 11 A Correct. | 18 |
| 12 Q Is there any provision in this exhibit 13 regarding exceptions or changes to place of 14 performance? | 19 |
| 15 A No, sir. | 20 |
| 16 Q I believe you had mentioned or referred 17 when we were discussing the ISA and ISE labor 18 classifications that there was some reference in the 19 contract or other provisions to that? | 21 |
| 20 A Yes, sir, there is. That would be in 21 Avaya's proposal, which is the second document you have 22 here. | 22 |
| | 64 |
| 1 Q The second document is the proposal 2 beginning on, following on the footer, Page 79? | 1 |
| 3 A Correct. | 2 |
| 4 Q Then beginning with Avaya's solutions going 5 on from there. | 3 |
| 6 Where is that? | 4 |
| 7 A I believe the labor categories start on 8 Page 13 of the proposal. | 5 |
| 9 Q And labor rates associated with those are 10 on Page 15? | 6 |
| 11 A Yes, sir, they are. Those would be the 12 rates that were in effect for the base year -- oh, 13 excuse me. They also have -- they also have the option 14 years on here, too. | 7 |
| 15 Q Those option years run through 16 November 30th of 2012? | 8 |
| 17 A That would be correct, sir. | 9 |
| 18 Q I think you had referenced earlier when we 19 were discussing some of the entries on agendas or ISEs, 20 I believe you described them as Information Systems 21 Engineers, ISE? | 10 |
| 22 A ISE is systems engineers. ISA would be | 11 |
| 1 systems analysts. | 12 |
| 2 Q On the labor rates, Page 15, I believe of 3 the Avaya proposal document -- | 13 |
| 4 A (Indicating.) | 14 |
| 5 Q -- there is Information System Analyst 1, 2 6 and 3 listed? | 15 |
| 7 A Yes, sir. | 16 |
| 8 Q And there are four grades of ISEs, 9 Information Systems Engineers? | 17 |
| 10 A Yes, sir. | 18 |
| 11 Q In the labor category sheet for minimum 12 general experience, functional responsibility and 13 minimum education, those are depicted starting on Page 14 13 of the Avaya proposal? | 19 |
| 15 A Yes, sir, they are. | 20 |
| 16 Q And row number four, Information Systems 17 Analyst 3, row number five, Information Systems Analyst 18 2, and row number six, Information Systems Analyst 1 19 are all depicted on Page 13? | 21 |
| 20 A Correct, sir. | 22 |
| 21 Q The agenda items characterize the person 22 selected to backfill Ashok's position as ISA3. Yes? | 23 |

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17 (65 to 68)

| | | | |
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| | 65 | | 67 |
| 1 | A Let me verify. | 1 | and we will talk about that briefly. |
| 2 | Q It's referenced as Saritha. | 2 | A Okay. |
| 3 | A Yeah. I just want to make sure I get it | 3 | Q Have you seen the e-mail depicted in this |
| 4 | right. ISA3 and ISE3 are easy to confuse. | 4 | exhibit before I handed it to you today? |
| 5 | Q Sure. | 5 | A As part of this proceeding, no. |
| 6 | A Yes, sir. It was an ISA3. | 6 | Q All right. It is, though, an e-mail that |
| 7 | Q Returning to the attorney's cover letter, | 7 | you sent to Atif with a copy to your alternate COR -- |
| 8 | Exhibit 2 to your deposition on Page 2, Exhibit 7, it | 8 | A David Fruehwald. |
| 9 | was responsive to Item Number 4, the contract or other | 9 | Q -- David Fruehwald on the "Subject: |
| 10 | provisions regarding place of performance? | 10 | Replacement of Ashok Pai on Wednesday, October 1, 2014" |
| 11 | A Yes. | 11 | at approximately 9:41 a.m? |
| 12 | Q And is it also responsive to Item 5, | 12 | A Yes, sir. |
| 13 | contract or other provisions regarding labor categories | 13 | Q And your salutation on it says, "Atif"? |
| 14 | applicable to the work performed by Ashok Pai? | 14 | A Yes, sir. |
| 15 | A Yes, sir, it is. | 15 | Q That is Atif Khalil. Yes? |
| 16 | Q Including ISA3 and ISA2? | 16 | A Yes, sir. |
| 17 | A Yes, sir. | 17 | Q PM for Camber at that time? |
| 18 | Q Directing your attention to a document | 18 | A Correct, sir. |
| 19 | labeled Exhibit 3, "Schedule B, Declaration Certifying | 19 | Q "Please proceed with replacement of Ashok |
| 20 | Authenticity of Records," it's a two-page document on | 20 | Pai from the DotNet team at the government's request," |
| 21 | two sides on one sheet of paper. | 21 | period? |
| 22 | Take a look at it, and we will talk about | 22 | A (Indicating.) |
| | 66 | | 68 |
| 1 | it briefly. | 1 | Q Yes? |
| 2 | A Yes, sir. | 2 | A Yes, sir. |
| 3 | Q That is your signature on the bottom of the | 3 | Q All right. Had Atif discussed with you |
| 4 | second page? | 4 | making this request? |
| 5 | A Yes, sir, it is. | 5 | A I really don't recall. Maybe. |
| 6 | Q All right. Declaring that you have | 6 | Q Do you recall why you wrote this e-mail on |
| 7 | produced all records in your custody and control | 7 | that day? |
| 8 | responsive to Plaintiff's request? | 8 | A Not 100 percent. I believe they requested |
| 9 | A Yes, sir. | 9 | confirmation that we were going to backfill the |
| 10 | Q The records were made at or near the time | 10 | position. |
| 11 | of the occurrence of the matters set forth and so | 11 | Q "They" meaning Camber? |
| 12 | forth? | 12 | A That would be Camber, yes, sir. |
| 13 | A Yes, sir. | 13 | Q You had previously described in general |
| 14 | Q Dated March 23, 2018. Yes? | 14 | terms the documentary procedure that would have to be |
| 15 | A Yes, sir. | 15 | followed at EOIR to request removal of an employee. |
| 16 | Q Last Friday? | 16 | A Correct, sir. |
| 17 | A Last Friday. | 17 | Q This exhibit is not an example of a request |
| 18 | Q Next I'm going to direct your attention to | 18 | to remove an employee? |
| 19 | a single-page document labeled Exhibit 5 Myatt with an | 19 | A No, sir. This was October 1st after we had |
| 20 | EEOC production number 32 in the lower right-hand | 20 | already been informed that Ashok had resigned. |
| 21 | corner. | 21 | Q Do you know whose idea it was to have this |
| 22 | Let me know when you are ready to discuss, | 22 | written? |

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18 (69 to 72)

| | | | |
|--|----|---|----|
| | 69 | | 7 |
| 1 A No, sir, I don't remember. | | 1 A No, sir, we did not. | |
| 2 Q I am handing you Exhibit 6, a one-page | | 2 Q In the backfilling of Ashok Pai's position, | |
| 3 document with production number PAI00357 in the lower | | 3 EOIR did not downgrade it to ISA1 or 2? | |
| 4 right-hand corner. Please let me know when you have | | 4 A No, sir, we did not. | |
| 5 read it, and we will talk about it. | | 5 Q Did the PM, Mr. Khalil, ever approach you, | |
| 6 A Okay. Whenever you are ready, sir. | | 6 EOIR, to support training for any of the employees, | |
| 7 Q That is Exhibit Number 6. | | 7 Camber or Avaya employees on the project by making | |
| 8 Have you seen Exhibit 6 before? | | 8 their time for certain training billable? | |
| 9 A No, sir. | | 9 A Yes, sir, on several occasions. | |
| 10 Q Exhibit 6, which you have read, that is | | 10 Q Was that kind of support ever approved by | |
| 11 Camber's October 17th letter to Mr. Pai regretting to | | 11 you? | |
| 12 inform him that his employment will be terminated | | 12 A Yes, sir. | |
| 13 effective October 31st. | | 13 Q Did the PM ever discuss with you any | |
| 14 MR. ORTBALS: Objection to the form. The | | 14 support for training of Mr. Pai by attendance of a | |
| 15 witness lacks personal knowledge. You can answer. | | 15 SharePoint conference in 2014? | |
| 16 BY MR. STERN: | | 16 A I cannot remember. It's possible, though. | |
| 17 Q 2014 -- I'm reading from the first | | 17 Q Any discussion with Mr. Pai regarding his | |
| 18 sentence. "Due to the customer changing the | | 18 attendance at a 2014 SharePoint conference? | |
| 19 requirements for your position." | | 19 A Not that I can remember, sir. | |
| 20 MR. ORTBALS: Same objection; the witness | | 20 Q Any discussion with Mr. Khalil about | |
| 21 lacks personal knowledge about this document, but you | | 21 Mr. Pai's attendance at a SharePoint conference in | |
| 22 can answer the question, sir. | | 22 2014? | |
| | 70 | | 72 |
| 1 BY MR. STERN: | | 1 A Not that I can remember. | |
| 2 Q Is that what -- | | 2 Q Did Camber ever mention to you anything | |
| 3 A That is what the letter says, yes, sir. | | 3 about terminating Mr. Pai? | |
| 4 Q It does not say Mr. Pai has retired, does | | 4 A No, sir. | |
| 5 it? | | 5 MR. STERN: I have no further questions. I | |
| 6 A No, sir, it does not. | | 6 will reserve follow-up questions following your | |
| 7 Q It does not say he has resigned? | | 7 questions, if any. | |
| 8 A No, sir, it does not. | | 8 CROSS-EXAMINATION | |
| 9 Q Did EOIR change the requirements for | | 9 BY MR. ORTBALS: | |
| 10 Mr. Pai's position? | | 10 Q Was Ashok Pai working on the EOIR project | |
| 11 A The short answer would be no. | | 11 as a DotNet/SharePoint developer or as a software | |
| 12 Q Did the PM ever ask EOIR to change the | | 12 systems architect? | |
| 13 requirements for Pai's position? | | 13 A DotNetSharePoint developer. | |
| 14 A Not that I can recall, sir. | | 14 Q And how are you aware that that was his job | |
| 15 Q The backfill for Mr. Pai, was it the | | 15 title within Camber? | |
| 16 highest ISA classification in the contract documents | | 16 A I would not be. I have no idea what titles | |
| 17 that you were produced? | | 17 Camber uses. Just a labor category that they charge | |
| 18 A So yes. The ISA series tops out at three. | | 18 me. | |
| 19 A That would be a senior systems analyst. | | 19 Q What labor category was Ashok Pai under? | |
| 20 Q EOIR did not change the stated skills and | | 20 A Information Systems Analyst 3. | |
| 21 requirements for the ISA3 as depicted in Exhibit 7 to | | 21 Q How are you able to recall that? | |
| 22 your deposition? | | 22 A That would be on the invoices that I | |

Transcript of Howard Myatt
Conducted on March 28, 2018

19 (73 to 76)

| | | | |
|----|--|----|---|
| | 73 | | 75 |
| 1 | reviewed prior to this meeting. Technically, the | 1 | SharePoint or DotNet? |
| 2 | budget sheets, which breaks out individual labor | 2 | A More than on the C# DotNet coding but the |
| 3 | categories for each individual. | 3 | app he was working on was sitting on top of a |
| 4 | Q When did you review those invoices or | 4 | SharePoint platform. |
| 5 | budget sheets? | 5 | Q Within the course of the program with EOIR, |
| 6 | A Prior to sending them to satisfy the | 6 | did the app being developed ever change in focus from |
| 7 | subpoenas. | 7 | primarily SharePoint-based to more DotNet-based? |
| 8 | Q Prior to sending them internally within | 8 | MR. STERN: Objection to the form. |
| 9 | DOJ? | 9 | A Yes, but I can't remember exactly when that |
| 10 | A Yes, sir. | 10 | shift happened. |
| 11 | Q All right. So you don't know whether those | 11 | BY MR. ORTBALS: |
| 12 | were ultimately then produced under the subpoena. Is | 12 | Q During the course of that shift, did you |
| 13 | that right? | 13 | have discussions with Atif Khalil about the need for |
| 14 | A That would be correct, sir. | 14 | more DotNet experience as opposed to SharePoint |
| 15 | Q It's up to -- DOJ Legal ultimately handles | 15 | experience? |
| 16 | the production of those documents in response to a | 16 | A I don't remember a specific discussion, but |
| 17 | subpoena. Is that right? | 17 | it is highly probable that we did. |
| 18 | A Yes, sir. | 18 | Q It wouldn't be unusual for you and Atif to |
| 19 | Q ISA P -- I'm sorry. An ISA3 bills less to | 19 | have discussion about the changing needs of the makeup |
| 20 | the government than a program manager. | 20 | of the team? |
| 21 | Does that look right? | 21 | A Requirements discussions are ongoing, yes. |
| 22 | A Hang on. Let me check. Yes, sir. That | 22 | Q As the requirements change, the needs of |
| | 74 | | 76 |
| 1 | would be correct. | 1 | the project change? |
| 2 | Q So would you expect an employee billing | 2 | A Correct. |
| 3 | less -- at a less hourly rate to be paid less than a | 3 | Q Would it be unusual in any way for the |
| 4 | program manager? | 4 | contractor, in this case Atif Khalil, to make |
| 5 | A That sounds reasonable, but you have no | 5 | recommendations to you as to how the contractor felt it |
| 6 | idea what Camber pays their employees. I just know | 6 | could best fulfill the needs of the projects? |
| 7 | what they bill the government. | 7 | MR. STERN: Objection to the form of the |
| 8 | Q Did Mr. Pai's duties primarily focus on | 8 | question, compound. |
| 9 | performing SharePoint architecture work? | 9 | A Could you narrow that down a little bit? |
| 10 | MR. STERN: Objection to the form of the | 10 | BY MR. ORTBALS: |
| 11 | question. | 11 | Q Well, I mean, let's stick with the idea of |
| 12 | BY MR. ORTBALS: | 12 | the focus of the project kind of shifting from |
| 13 | Q You can answer the question, sir? | 13 | SharePoint to DotNet. |
| 14 | MS. COLEMAN: Do you understand it? | 14 | Would it be unusual in any way for Atif to |
| 15 | A Could you clarify that just a little bit? | 15 | bring you proposed recommendations about how to help |
| 16 | You mean his duties on this particular contract and | 16 | make that shift happen? |
| 17 | project working for the government? | 17 | A By "recommendations," do you mean in the |
| 18 | BY MR. ORTBALS: | 18 | form of staffing changes? |
| 19 | Q Correct. | 19 | Q Correct. Or skill sets needed for the |
| 20 | A He was engaged as a software developer | 20 | makeup of the team in relation to skill set? |
| 21 | working on both DotNet and SharePoint applications. | 21 | MR. STERN: Objection as to form. |
| 22 | Q Did he have a particular focus between | 22 | A That would -- that would happen |



April 9, 2018

Maria N. Coleman, Esquire
Office of General Counsel
5107 Leesburg Pike
Falls Church, VA. 22041

Re: Deposition of **Howard Myatt**

Date: 3/28/2018

Case: EEOC -v- Camber Corp.

Dear Sir/Madam,

Attached please find the above-referenced deposition transcript. If applicable, signature is required within 30 days from the date of this letter.

In accordance with the disposition of signature at the deposition or the pertinent jurisdictional rules, the deponent should follow these instructions to complete the Errata Sheet:

- (1) Read the transcript and indicate any corrections or changes in ink on the enclosed Errata Sheet. Please include page and line numbers. If more space is needed for corrections, please use a blank sheet of paper. If no corrections or changes are necessary, please indicate "no corrections" or "no changes" on the Errata Sheet.
- (2) Sign and date the Errata Sheet and Acknowledgement of Deponent/Affiant pages.
- (3) Please return the executed Errata Sheet and Acknowledgement pages to the address indicated below, submit via fax (888-503-3767) or email (transcripts@planetdepos.com).

A copy of this letter and the returned signature pages, if any, will be distributed to counsel.

Sincerely,

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Re: Deposition of **Howard Myatt**
Date: 3/28/2018
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4-20-18

(Date)

Howard M. Yett

(Signature)

No. 179323

Re: Deposition of **Howard Myatt**

Date: 3/28/2018

Case: EEOC -v- Camber Corp.

Return to: transcripts@planetdepos.com

ACKNOWLEDGMENT OF DEPONENT

I, Howard Myatt, do hereby acknowledge that I have read and examined the foregoing testimony, and the same is a true, correct and complete transcription of the testimony given by me and any corrections appear on the attached Errata sheet signed by me.

4-20-18

(Date)

Howard Myatt

(Signature)